Single Bench

(F) 100

Before Hon'ble High Court of Chhattisgarh at Bilaspur

W. P 4359 2004

Petitioner :- Lakhanlal Tiwari
S/o Late Shri Ram Prasad Tiwari
aged about - 59 years
Patwari at P.C. Circle No.-2
Village Jagannathpur Tahsil- Balod
District- Durg

VS

Respondent :- (1) State Government of Chhattisgarh
Through Secretary
Revenue Department, D.K.S. Bhawan,
Raipur (C.G.)

Writ Petition Under Article 226/227 of Constitution of India :-

(18)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4359/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	08-12-2004	

Shri Ajay Shrivastava, counsel for the petitioner.

Shri V.V. S. Murthy, Dy. A.G. with Shri Akhil Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been working as Patwari in P.C. Circle No.2, Tehsil Balod, District Durg. He also submits that the petitioner has been transferred from District Durg to District Kabirdham vide Annexure-P/1. He also submits that the Patwari cannot be transferred inter-district wise. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue.

It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting.

With the aforesaid observation, this petition stands disposed of.

Consequently, M.W.P.No.4710/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Gowri

GKPRJ—FS/78 — 9/2006 —50,000.

19/12/2004 19/15.12.04